

eration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Buchanan of Scurry, Chairman; King, Suiter, Henderson, Parr, Dean, Johnston, McCollum.

Committee Room,
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Section 116 of Chapter 96, Acts of Regular Session of the Thirty-second Legislature, providing for the granting of teacher's certificates and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 53, A bill to be entitled "An Act to prohibit fishing and hunting upon the enclosed land of any person, firm or corporation, without the consent of such person, firm or corporation or a duly authorized agent, prescribing a penalty for the violation of this Act; repealing Articles 1255, 1255a, 1255b, 1255c, 1255d, 1255e, and 1256, Revised Criminal Statutes of 1911, and declaring an emergency,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following Committee Amendment:

Amend by adding after Section 3, a new section numbered 3A and reading as follows:

Section 3A. Nothing here shall be construed to prohibit any person in Texas from entering enclosed land of another for the purpose of trapping for wolves and wild cats.

CLARK, Chairman.

FIFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, January 15, 1917.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Bee.

Absent—Excused.

Hudspeth.	Smith.
Johnston of Harris.	Suiter.
McNealus.	Woodward.

Prayer by Rev. E. C. Boynton, of Austin.

Pending the reading of the Journal of Friday, the same was dispensed with, on motion of Senator Lattimore.

Excused.

On account of illness:

Senator Suiter for today, on motion of Senator Lattimore.

On account of important business:

Senator Johnston of Harris, for today, on motion of Senator Dean.

Senator Hudspeth, indefinitely, on motion of Senator Henderson.

Senator McNealus, for today, on motion of Senator Robbins.

Bills and Resolutions.

Simple Resolution No. 17.

By Senator Caldwell:

Be it resolved by the Senate, That the use of the Senate Chamber be

tendered to the citizens of Austin for the inaugural reception and ball to be given to his excellency, Hon. James E. Ferguson, on the evening of Tuesday, January 16, 1917.

The resolution was read and adopted.

Simple Resolution No. 18.

By Senator Henderson:

Resolved, That the President of the Senate be authorized to appoint a committee of three (3) to confer with the postmaster of Austin and arrange to have the mail of the Senators and employes of the Senate sent to the Capitol on Sunday.

The resolution was read and adopted.

In accordance with the above resolution, the Chair appointed Senators Henderson, Caldwell and Clark.

By Senator Dayton:

S. B. No. 111, A bill to be entitled "An Act to prohibit the lavish or corrupt use of money in primary elections; providing for what purposes money may be used in primary elections; providing that every candidate shall include in his expense account an averment that he has not violated the provisions of this act; provided no person shall directly or indirectly use money or other things of value to promote or defeat the nomination of any candidates; providing that any candidate violating this act shall not be allowed to have his name on the official ballot at the general election as the official nominee of his party; and providing that violations of this act shall be a felony, and providing for the punishment in case of conviction under this Act."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 112, A bill to be entitled "An Act to create a State Board of Chiropractic Examiners; to regulate the practice of chiropractic in the State of Texas; defining chiropractic; providing for licensing chiropractors, and to prescribe penalties for the violation of this Act."

Read first time and referred to Committee on Public Health.

By Senator Westbrook:

S. B. No. 113, A bill to be entitled "An Act making it a misdemeanor to practice law without license in any justice court, corporation, city or police court, county court, district court, Court of Appeals, Supreme Court, or any other court of this State; prescribing a penalty, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Caldwell:

S. B. No. 114, A bill to be entitled "An Act to protect human life and limb by prohibiting persons from trespassing, walking, sitting, lying and loitering on the tracks, roadbeds, dumps and cuts of railroads, and the tracks, dumps and cuts of interurban railroads and the electric light poles and towers of interurban railroads, and electric light companies, and from obstructing the electric wires of such interurban and electric light companies, and providing for the exemption of certain classes from the operation of the law, and fixing a penalty for the violation thereof, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bailey:

S. B. No. 115, A bill to be entitled "An Act to create the Eighty-first Judicial District of the State of Texas; to reorganize the Thirty-sixth and Forty-ninth Judicial Districts of said State; to provide for the appointment of a district attorney in said Thirty-sixth Judicial District as reorganized; and to provide for the appointment of a district judge of said Eighty-first Judicial District; and to provide for the continuance in office of the present district attorney of the Thirty-sixth Judicial District of Texas as district attorney of the Eighty-first Judicial District of Texas, residing in Wilson county, Texas; to provide for the continuance in office of the present district judge and district attorney of the Forty-ninth Judicial District of Texas; to fix the time of holding the district courts of said districts; to provide for the time when this Act shall take effect; to make all process heretofore issued,

as well as bonds and recognizances heretofore entered into, conform thereto; to provide that the grand and petit jurors drawn and selected under existing laws in any of the counties of said judicial districts shall be considered legally drawn and selected for the term of the district court of their respective counties, held after this Act takes effect; and providing that this Act shall take effect on August 1, 1917; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Floyd and Gibson:

S. B. No. 116, A bill to be entitled "An Act providing for the creation of the office of assistant district attorney for the Sixth Judicial District of Texas; defining the duties and qualifications of said office; fixing the bond and salary, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Robbins:

S. B. No. 117, A bill to be entitled "An Act to amend Article 7209, Revised Civil Statutes of Texas, 1911, so as to provide for the holding of an election to determine whether hogs, sheep or goats may run at large during only those months in each year designated in the petition; providing that elections may be held thereunder, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Gibson:

S. B. No. 118, A bill to be entitled "An Act to aid the city of Paris and Lamar county in the re-establishment and rebuilding permanent improvements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said county of Lamar, for a period of five years, and to provide a penalty for their misapplication."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Buchanan of Scurry:

S. B. No. 119, A bill to be entitled

"An Act to amend Article 2000 of the Revised Civil Statutes of 1911, relating to the requisites of judgments for the foreclosure of mortgage liens or other liens, and adding Articles 2000a, 2000b, 2000c, 2000d, 2000e, 2000f, 2000g and 2000h, requiring that judgments make findings as to the reasonable cash value of the property held as security, providing for appraisement of the security, and for deficiency judgment only for the amount of difference between the appraised value and the amount of the judgment, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Buchanan of Scurry and Robbins:

S. B. No. 120, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas in that portion of western Texas lying west of the Ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making the necessary appropriations for the location, establishment and maintenance of said college, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McCollum:

S. B. No. 121, A bill to be entitled "An Act to repeal Chapter 123 of the General Laws of the State of Texas passed by the Thirty-fourth Legislature at its regular session, being 'An Act to amend Chapter 6, Title 13, of the Penal Code of Texas, 1911, inserting after Article 889a and Article 889b, fixing the closed season for killing doves, bob whites, quail or partridges in this State;' and to amend Article 886 of the Penal Code of Texas, 1911, relating to the protection of certain useful birds so as to prohibit the killing of

all harmless birds, deer and other game, for a period of five years."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hall:

S. B. No. 122, A bill to be entitled "An Act to require the filing with the clerks of district and county courts of copies of all petitions answers, motions, notices or other instruments pertaining to suits in such courts; providing for the certification of such copies; prohibiting the removal of original papers from the offices of such clerks, and providing a penalty for such removal; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Decherd:

S. B. No. 123, A bill to be entitled "An Act to make an emergency appropriation for the cost of construction of a fireproof dormitory; to supplement the present available appropriation for the erection of a power plant, and to provide for the maintenance, support and direction of the summer school at the Agricultural and Mechanical College of Texas for the fiscal year ending August 31, 1917, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Decherd:

S. B. No. 124, A bill to be entitled "An Act to provide an appropriation for the maintenance and support of the Agricultural and Mechanical College of Texas in conformity to the provisions of an Act passed by the Thirty-fourth Legislature 'providing for the issuance of certain State bonds and authorizing the retirement of certain bonds of the State of Texas, etc.,' and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hopkins:

S. B. No. 125, A bill to be entitled "An Act to require the owner, agent or lessee of any land or any present interest therein, on which any stream is located in whole or in part, which overflows its banks and floods the land of other persons under cultivation, to keep the timber underbrush and drifts cleared out of the channels and off the shoals of

such creek, making the failure to do so a misdemeanor, prescribing a penalty, fixing damages, and the venue of suits for the recovery thereof and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Henderson:

S. J. R. No. 5, A joint resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 10 thereof a new section to be known as Section 10, declaring what are public utilities and providing that the Legislature may hereafter declare what are public utilities, and providing further, that the Legislature may authorize the Railroad Commission, as now created by law, to control, regulate and fix the rates and terms of service of said public utilities, or that the Legislature may hereafter create an independent commission to regulate, control and fix the rates of service of such public utilities.

Read first time and referred to Committee on Constitutional Amendments.

Morning call concluded.

Senate Bill No. 37.

(By unanimous consent, on request of Senator Parr.)

The Chair laid before the Senate, on second reading,

S. B. No. 37, A bill to be entitled "An Act to amend Articles 6772, 6773, 6774 and 6775, of Chapter 1, Title 117, Revised Civil Statutes of Texas, relating to the transcribing of records from the parent county into the newly created counties which have been created either in whole or in part from the territory of any other county or counties in this State, or to which may have been added since its creation the territory of any other county or counties in this State so as to authorize the commissioners court of the new county to employ a competent person to transcribe the same, other than the county clerk of such new county, to repeal all laws in conflict therewith and declaring an emergency."

Action recurred on the committee report, that the bill be not printed, and Senator Parr moved that the report be adopted.

The reading of the bill in full was called for.

Senator Westbrook moved, as a substitute, that the bill be printed in the Journal, which motion was adopted, and following is the bill in full:

By Parr.

S. B. No. 37.

A BILL
To Be Entitled

"An Act to amend Articles 6772, 6773, 6774 and 6775 of Chapter 1 Title 117, Revised Civil Statutes of Texas, relating to the transcribing of records from the parent county into the newly-created counties which have been created either in whole or in part from the territory of any other county or counties in this State, or to which may have been added since its creation the territory of any other county or counties in this State, so as to authorize the commissioners' court of the new county to employ a competent person to transcribe the same other than the county clerk of such new county, to repeal all laws in conflict therewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 6772, 6773, 6774 and 6775, Chapter 1, Title 117, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

Article 6772. It shall be the duty of the county commissioners' court of any county in this State which may have been, or which shall hereafter be created, either in whole or in part, from the territory of any other county or counties in this State, or to which may have been or shall be added since its creation, the territory of any other county or counties in this State, to secure a well-bound book or books, as the case may be, and to have transcribed from the records of said other county or counties, by any competent person or persons, appointed by said commissioners' court, who shall be sworn to faithfully perform all the duties required of him, all the deeds, mortgages, incumbrances and muniments of title affecting or in anywise relating to all lands and real property which are or may be embraced in the territory so acquired from another county or counties, and which deeds, mortgages, conveyances, incumbrances and muniments of title appear of record in said county or counties from

which said territory may have been taken as having been recorded prior to the transfer of territory as aforesaid, and when the acquired territory may have been from more than one county, then said commissioners' court shall provide a separate record book or books for each county, and which said book or books shall be indexed and arranged as is now required for record books in case of deeds and mortgages.

Art. 6773. Said records shall be transcribed in a plain, legible hand, and with some standard ink of a permanent black color, or the same may be typewritten, as the court may direct, and when so transcribed shall be carefully compared with the original record by the clerk of the county court of such county which may have been created either in whole or in part from the territory of any other county or counties, or by the clerk or clerks of the county court of the county or counties out of which such county may have been created, or by their sworn deputies, assisted by the person or persons so appointed by the commissioners' court aforesaid to transcribe said records.

Art. 6774. When said record or records shall have been found to be truly and correctly transcribed, the county clerk, with the person or persons so verifying the same, shall certify under their official oath of office at the conclusion of the record with the impress of the seal of said court affixed on the same page the correctness of the same, after which said transcribed record or records shall have all the force and effect in judicial proceedings in the courts of this State as the original records.

Art. 6775. The person or persons making such transcript, together with the county clerk who compared and certified to the same, shall be entitled to compensation therefor at the rate of not to exceed fifteen cents per hundred words, payable out of the county treasury of the county for which the transcribed records are made, upon warrant issued under order of the commissioners' court.

Sec. 2. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Sec. 3. Owing to the fact that there are several newly-created counties in this State which have been created in whole or in part from another county or counties, or to which has been added territory since its creation, part of the

territory embraced in another county, and which have no records transcribed from the county or counties out of which the same may have been created, and owing to the fact that there are no adequate laws upon the statutes of this State giving full authority to the commissioners' court to transcribe such records, with the exception of ordering the county clerk of such newly-created county to do so, and owing to the fact that the citizens of such counties which have been created out of another county or counties are compelled to travel long distances to inspect the records pertaining to real estate of such counties, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage; that all laws or parts of laws in conflict herewith be repealed, and it is so enacted.

(President Pro Tem. Henderson in the Chair.)

Simple Resolution No. 19.

By Senator Clark.

Be it resolved by the Senate that the Honorable Board of Prison Commissioners be and they are hereby respectfully requested to immediately furnish to the Finance Committee of this body for the information of the Senators a statement of their indebtedness created prior to January 1, 1915, showing the name and address of each creditor, the amount due and whether evidenced by note, State Treasury warrant or open account, giving the rate of interest, if any, each claim draws and the date the interest commenced and the consideration of such indebtedness, and which of said claims are contested; be it further,

Resolved, That the Secretary of the Senate mail a copy of this resolution to the Honorable Board of Prison Commissioners at Huntsville, Texas, promptly on the passage of same.

The resolution was read and adopted.

Joint Session.

The Chair, at 10 o'clock a. m., January 15, announced that the hour had arrived for the Senate and House

to meet in joint session to count the vote and prepare for the inauguration of the Governor and Lieutenant Governor, and, accordingly, the Senate repaired in order to the Hall of the House of Representatives.

Counting the Vote for the Governor and Lieutenant Governor.

(In Joint Session.)

At the hour of 10:30 o'clock a. m., fixed by concurrent action of the two Houses for the Senate and House of Representatives to meet in joint session for the purpose of counting the votes for Governor and Lieutenant Governor, cast at the general election, held on Tuesday, the 7th day of November, A. D. 1916, the Honorable Senate were announced at the bar of the House, and by direction of the Speaker were admitted.

Escorted by the Sergeant-at-Arms of the Senate, M. F. Hornbuckle, the Secretary of the Senate, John D. McCall, and the Journal Clerk of the Senate, R. M. Gilmore, the Senators advanced into the hall, and by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

The President Pro Tempore of the Senate, Hon. J. M. Henderson, by invitation of the Speaker, occupied a seat on the Speaker's stand to the right of the Speaker.

The President Pro Tempore of the Senate then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Alderdice.	Henderson.
Bailey.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Dayton.	McCollum.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Absent.

Bee.	Strickland.
Clark.	

Absent—Excused.

Hudspeth. Smith.
Johnston of Harris. Suiter.
McNealus.

The President Pro Tempore of the Senate announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll was called, and the following members answered to their names:

Bagby.	Laas.
Baker.	Lacey.
Beard of Harris.	Laney.
Beasley.	Lange.
Bell.	Lanier.
Bertram.	Lee.
Blackburn.	Lindemann.
Blackmon.	Low
Blalock.	of Washington.
Bledsoe.	McComb.
Boner.	McCoy.
Brown.	McDowra.
Bryan.	McFarland.
Bryant.	McMillin.
Burton of Rusk.	Martin.
Burton of Tarrant.	Meador.
Butler.	Mendell.
Cadenhead.	Metcalfe.
Canales.	Miller of Austin.
Carlock.	Miller of Dallas.
Clark.	Monday.
Cope.	Moore.
Cox.	Morris.
Crudgington.	Murrell.
Davis of Dallas.	Neeley.
Davis of Grimes.	Neill.
Davis of Van	Nichols.
Zandt.	Nordhaus.
De Bogory.	O'Banion.
Denton.	O'Brien.
Dodd.	Osborne.
Dudley.	Parks.
Dunnam.	Peddy.
Estes.	Peyton.
Fairchilds.	Pillow.
Fisher.	Poage.
Fitzpatrick.	Raiden.
Florer.	Reeves.
Fly.	Richards.
Greenwood.	Robertson.
Haidusek.	Roemer.
Harris.	Rogers.
Hartman.	Russell.
Hawkins.	Sackett.
Hill.	Sallas.
Holland.	Sentell.
Hudspeth.	Schlesinger.
Johnson.	Seawright.
Jones.	Sholars.

Smith of Bastrop.	Thompson of Red
Smith of Hopkins.	River.
Smith of Scurry.	Tillotson.
Spencer of Nolan.	Tilson.
Spencer of Wise.	Tinner.
Spradley.	Trayler.
Stewart.	Upchurch.
Strayhorn.	Valentine.
Swope.	Veatch.
Taylor.	Walker.
Templeton.	White.
Terrell.	Williams
Thomas.	Brazoria.
Thomason of El	Williford.
Paso.	Wilson.
Thomason of Nac-	Woods.
ogdoches.	Woodul.
Thompson of	Yantis.
Hunt.	

Absent.

Bland.	Williams
Cates.	of McLennan.

Absent—Excused.

Beard of Milam.	Pope.
Beason.	Schlosshan.
Bedell.	Scholl.
Hardy.	Tschoepe.
Lowe of McMullen.	Wahrmund.

The President Pro Tempore of the Senate and the Speaker of the House then stated that the two houses were in joint session for the purpose of counting the votes for Governor and Lieutenant Governor, cast at the last general election.

The President Pro Tempore of the Senate announced the appointment of the following tellers on the part of the Senate:

Senators Woodward, Bailey and Gibson.

The Speaker of the House announced the appointment of the following tellers on the part of the House:

Messrs. Woods, Clark, Canales, Neill and Miller of Dallas.

The joint tellers were announced present, and they at once came forward and occupied seats at a table already prepared for them.

The Speaker then requested the joint tellers to come forward and receive the returns of the last general election of Governor and Lieutenant Governor, which returns had been duly delivered by the Secretary of State to Speaker of the House of Representatives of the Thirty-fifth Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at the last general election.

(Mr. Fly in the chair on the part of the House.)

On motion of Senator Caldwell, on the part of the Senate, and Mr. Parks, on the part of the House, the Joint Session, at 11 o'clock a. m., agreed to stand at ease until 2 o'clock p. m. today.

At 2 o'clock p. m. the Joint Session was called to order on the part of the Senate by Hon. J. M. Henderson, President Pro Tempore of the Senate, and on the part of the House by Hon. F. O. Fuller, Speaker of the House of Representatives.

(Pending the count, Mr. Clark occupied the chair temporarily on the part of the House.)

When the count was completed the President Pro Tempore of the Senate and the Speaker of the House announced to the Joint Session that the Joint Tellers had completed the count of the votes, and that the Joint Session is now ready to receive the result, and to hear the report of the Joint Tellers, which was received and read.

Whereupon, Hon. F. O. Fuller, Speaker of the House of Representatives, and Hon. J. M. Henderson, President Pro Tempore of the Senate, each made the following announcement:

"Hon. James E. Ferguson, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of the State for the ensuing term of two years; and Hon. W. P. Hobby, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the Joint Session was concluded, and delivered the election returns used in counting the vote into the hands of

Bob Barker, taking his receipt therefor, and directing him to deliver the same in person to the Secretary of State, and to take the receipt of the Secretary of State for the documents.

Senate Retires.

On motion of Senator Bailey, the Senate, at 2:45 o'clock p. m., retired to its chamber.

In the Senate.

At 2:45 o'clock p. m. the Senate members appeared in the Senate Chamber and the Senate was called to order by President Pro Tem. Henderson.

Report of Committee.

Senator Bailey, on part of the Senate Committee, made the following report:

Austin, Texas, January 15, 1917.

Hon. W. P. Hobby, President of the Senate,

And

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Joint Committee and Tellers appointed to canvass the votes cast at the last general election held in Texas on November 7, 1916, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty and the result of our canvass is as follows:

There were cast for Governor:

	Votes.
For James E. Ferguson.....	296,667
For R. B. Creager.....	49,118
For H. W. Lewis.....	3,200
For E. H. Meitzen.....	14,580
Scattering	17

Total number of votes cast
for Governor.....363,582

There were cast for Lieutenant Governor:

	Votes.
For W. P. Hobby.....	320,441
For Jerry L. Hickson.....	48,249
For J. A. Richardson.....	1,735

	Votes.
For Nat B. Hunt.....	14,978
Scattering	2

Total vote cast for Lieutenant Governor.....385,405

There were no returns sent to the Secretary of State from the following named counties and none was submitted to your committee:

Bailey, Cochran, Crane, Hockley, Loving, Mills.

And therefore said counties are not included in this report nor considered in the tabulation of the votes cast.

All of which is respectfully submitted,

BAILEY,
WOODWARD,
GIBSON,

On the part of the Senate.

WOODS,
CANALES,
NEILL,
CLARK,

MILLER of Dallas,

On the part of the House.

The report was read, and Senator Bailey moved that the report be adopted and printed in the Journal, and that the tabulated vote be not printed. The motion prevailed.

Simple Resolution No. 20.

By Senator Gibson et al:

Whereas, Hon. J. R. Astin of Brazos and Hon. J. M. Terrell, former members of this body, are now in the gallery, we move that they be invited to address the Senate and be given the privileges of the floor.

The resolution was read and adopted, and former Senators Astin and Terrell were escorted to the President's stand and each addressed the Senate briefly.

Message From the Governor.

The Chair laid before the Senate and had read, the following message from the Governor, just received:

Executive Office.
Austin, Texas.

January 12, 1917.

To the Texas Senate:

I ask the consent and confirmation

by the Senate of the following appointments, made in vacation:

Dr. E. B. Knolle of Austin county, appointed September 12, 1916, a member of the State Board of Health, in place of Dr. H. L. McLauren, deceased.

Dr. Arthur M. McElhannon of Grayson County, appointed February 26, 1916, a member of the State Board of Medical Examiners, in place of M. P. McElhannon, resigned.

J. K. Freeman of Milam county, appointed June 26, 1915; F. L. Denison and Harry Stineburg of Bell County, appointed July 26, 1915, members of the State Mining Board.

Miss Emma Burleson of Travis County, appointed February 26, 1916, a member of the State Library and Historical Commission, in place of Mrs. John G. McKay, deceased.

D. H. Cunningham of Comanche County, appointed November 4, 1915, a member of the Live Stock Sanitary Commission, in place of J. H. Avery, resigned.

Thomas L. Gross, Thomas J. Anderson, R. Waverly Smith, Charles N. Rhodes and Herman E. Klein-ecke, appointed June 4, 1915, and L. A. Adoue, appointed November 29, 1915, as members of Pilot Commission for the Port of Galveston.

J. M. Dullahan of Orange County, appointed November, 1915; D. W. Ryan of Jefferson County, appointed October 27, 1915, and Harvey Fletcher of Jefferson County, appointed November 16, 1915, as Pilot Commissioners for Sabine Pass, river and tributaries.

Wilson Murray, Walter Thorp, Jr., J. E. Hennessey, M. J. Lang and W. E. Monk, appointed September 13, 1915, Public Weighers for Magnolia Park.

J. C. Jones of Gonzales County, J. W. Rainbolt of Gonzales County and Clyde Booth of Gonzales, appointed October 4, 1915, and December 23rd, 1915, respectively, as members of Gonzales Park Commission.

T. H. McGregor of Travis County, J. H. Fowler of Bexar County and J. H. Fricke of Galveston County, appointed September 1, 1915, as members of Industrial Accident Board.

Wm. Scrimgeour, Fred W. Johnson, A. C. Steinhard, A. D. Smith, Jas. Boyle, H. G. Jones, L. C. Luth,

B. F. Pomeroy, J. W. Simmons, H. L. Babcock, P. J. Stewart, H. B. Jobst, W. E. Hayman, W. W. Woolford, Lewis Locke, J. B. Woolford and G. M. Kelly, all of Galveston County, appointed June 21, 1916, as Branch Pilots for the Port of Galveston.

A. Olsen, F. C. Plummer, appointed December 11, 1915; W. P. Allen, Fred B. Plummer, appointed December 13, 1915; Chas. F. Wood, A. M. McFarland, B. F. Granger, Jerry B. Johnson, D. J. Wood and John Dillon, appointed January 4, 1916; Edgar Woodhouse, Don Allien, Jno. Kaper, Theodore Carlson, H. M. Frederickson, C. Christofferson and S. W. Livingston, appointed July 29, 1915; John Ferguson, appointed October 27, 1915, as Branch Pilots for Port Sabine, river and tributaries.

George M. Roberts of Aransas County, appointed November 16, 1915, E. B. Mercer and C. B. Walker, of Nueces County, appointed June 21 and November 21, 1916, respectively, as Branch Pilots for the Port of Aransas.

Albert Borrow of Brazoria County, appointed November 26, 1915; Frank Pessaro of Brazoria County, appointed February 4, 1916; S. W. Hudgins of Brazoria County, appointed April 13, 1916; Walter Cherry of Brazoria County, appointed July 10, 1916; and J. E. Gonzales of Brazoria County, appointed August 22, 1916, as Branch Pilots for the Mouth of Brazos River and Bar.

Fred Allien and J. W. Laughton, of Harris County, appointed January 21, 1916, as Branch Pilots for Port of Houston and Galveston Bar to Houston and return only.

H. V. Robertson of Potter County, Milton Morris of Travis County, E. J. Archinard of Tarrant County, E. F. Hunter of Bexar County, and W. P. Peter of Dallas County, as members of the State Board of Public Accountability, appointed June 11, 1915.

H. C. Hubbs of Hays County and J. O. Coupland of Cherokee County, as members of Board of Appraisers for Forfeited School Lands; appointed June 17, 1915.

T. M. Dorsett of Galveston County, T. J. Dick and J. A. Cameron of Galveston County, appointed September 14, 1915, as Wreck Masters for Galveston County.

C. N. Witcher, Lampasas County, and J. H. Bowman, of Johnson

County, appointed August 2, 1915, in place of John S. Pannell and W. R. Davis, resigned, as members of Board of Managers for the Confederate Home.

H. B. Armstrong of Travis County, appointed July 23, 1915, and T. F. Hardy of Milam County, appointed July 4, 1915, as members of Board of Managers for the Confederate Women's Home, in place of T. H. Davis and John H. Childs of Travis County, resigned.

E. B. Gore of Hidalgo County, appointed September 30, 1915, as member of Board of Water Engineers.

Mrs. M. F. Lambert, Mrs. Eugene Lowe, and Mrs. O. Mitchell, of Refugio County, appointed December 4, 1916, as Commissioners of King's Burial Park.

R. M. Payne of Galveston County, appointed November 16, 1916, as Public Weigher for Texas City.

S. W. English of Cooke County, appointed February 1, 1916, as State Fire Marshall.

Chas. H. Hurdleston of Tarrant County, appointed October 2, 1916, as Railroad Commissioner, in place of W. D. Williams, deceased.

P. H. Swearingen of Bexar County, appointed Associate Justice of the Court of Civil Appeals for the Fourth District, March 15, 1916, in place of J. F. Carl, resigned.

John Tipps of Rusk County, appointed September 23, 1916, as District Judge of the Fourth Judicial District, in place of W. C. Buford, deceased.

R. M. Smith of Wood County, appointed August 17, 1915, as Judge of the Seventh Judicial District, in place of W. R. Heath, resigned.

Ireland Graves of Travis County, appointed August 14, 1916, as Judge of the Twenty-sixth Judicial District, in place of C. A. Wilcox, resigned.

F. M. Spann of Bell County, appointed February 1, 1916, as Judge of the Twenty-seventh Judicial District in place of John D. Robinson, resigned.

J. B. Keith of Erath County, appointed August 21, 1916, as Judge of the Twenty-ninth Judicial District in place of W. J. Oxford, resigned.

William N. Bonner of Wichita County, appointed December 13, 1915, as Judge of the Thirtieth Judicial District, in place of J. W. Aiken, resigned.

W. D. Howe of El Paso County, appointed December 4, 1916, as Judge of the Thirty-fourth Judicial District, in place of Dan M. Jackson, resigned.

C. E. Dubose of Tom Green County, appointed November 15, 1916, as Judge of the Fifty-first Judicial District, in place of J. W. Timmins, deceased.

E. A. McDowell of Jefferson County, appointed June 19, 1915, as Judge of the Sixtieth Judicial District, in place of John M. Conley, resigned.

Joseph Jones of Val Verde County, appointed November 22, 1916, as Judge of the Sixty-third Judicial District, in place of W. C. Douglas, resigned.

Charles Gibbs of Midland County, appointed December 15, 1916, as Judge of the Seventieth Judicial District, in place of S. J. Isaacks, resigned.

V. W. Taylor of Jim Wells County, appointed Judge of the Seventy-ninth Judicial District, June 19, 1915.

J. D. Harvey of Waller County, appointed September 1, 1915, as District Judge of the Eightieth Judicial District.

Ben M. Terrell of Tarrant County, appointed July 2, 1915, as Judge of the Sixty-seventh Judicial District, in place of Marvin H. Brown, resigned.

H. J. Dannenbaum of Harris County, appointed October 2, 1915, as Judge of the Sixty-first Judicial District, in place of John A. Reed, resigned.

DeWitt Bomer of Bell County, appointed February 12, 1916, as District Attorney for the Twenty-seventh Judicial District, to fill unexpired term of John L. Ward, resigned.

T. E. Hammond of Burnet County, appointed District Attorney for the Thirty-third Judicial District, in place of Dayton Moses, resigned.

Leigh Clark of El Paso County, appointed District Attorney for the Thirty-fourth Judicial District, in place of Wm. Bridges, resigned.

Milburn McCarty of Tom Green County, appointed March 30, 1916, as District Attorney for the Fifty-first Judicial District, in place of Alex Collins, resigned.

J. E. Leslie of Jim Wells County, appointed June 19, 1915, as District

Attorney for the Seventy-ninth Judicial District.

C. J. Bartlett of Falls County, appointed Secretary of State, December 29, 1916, in place of John G. McKay, resigned.

C. O. Austin of Bexar County, appointed Commissioner of Insurance and Banking, August 31, 1916, in place of John S. Patterson, deceased.

Chas. L. Stowe of Grayson County, appointed Superintendent of Public Buildings and Grounds, November 18, 1916, in place of J. A. Owens, deceased.

Dr. E. F. Jarrell of Dallas County, appointed November 4, as State Veterinarian, in place of Dr. W. T. Chrisman, deceased.

W. R. Brents of Grayson County, appointed December 6, 1916, as a member of the Board of Regents of the State University, in place of Dr. M. Faber, resigned.

Mrs. Wm. Bacon of Hunt County, C. J. Bartlett, of Falls County, and Dr. Joe Gilbert, of Travis County, to be members of Board of Managers of the State Farm Colony for the Feeble Minded, appointed March 27, 1916.

E. B. Hendricks of Brown County, appointed January 1, 1917, as Assistant Attorney General, in place of C. C. McDonald, resigned.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

Executive Session—Time Set For.

Senator Bailey moved that the Senate go into executive session tomorrow, January 16, 1917, at 10:15 o'clock a. m., for the purpose of considering the appointments by the Governor.

The motion prevailed.

Bills and Resolutions.

(By unanimous consent.)

By Senator Strickland:

S. B. No. 126. A bill to be entitled "An Act requiring all persons, corporations and receivers engaged in constructing, operating and maintaining railroads in this State to give notice to its employees working in its shops and roundhouses, before reducing the force of said employees."

Read first time and referred to

Committee on Internal Improvements.

By Senator Strickland:

S. B. No. 127, A bill to be entitled "An Act amending Article 6633, Revised Statutes, 1911, providing that corporations chartered under the terms of Title 125 R. S. 1911, must construct the road for which they are chartered within certain times or suffer forfeiture of the charter and certain franchises so as to have such article provide for forfeiture of the charter and other rights and franchises of such corporations for failure to construct, etc., the entire line for which the corporation chartered within certain times in this Act specified; also repealing certain laws; providing other remedies for such failure, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Strickland:

S. B. No. 128, A bill to be entitled "An Act establishing an insane asylum at Rusk, Texas, converting certain lands and buildings to said use and making appropriations for the establishment and maintenance of same, transferring Rusk prisoners to Huntsville and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senator Clark:

S. B. No. 129, A bill to be entitled "An Act to provide for the purchase of a site for, and for the establishment, location and construction of, an asylum in South Texas for the care, treatment and support of negro insane persons, and to make an appropriation therefor, and declaring an emergency."

Read first time and referred to Committee on State Institutions and Departments.

By Senator Hopkins:

S. B. No. 130, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure of the State of Texas of 1911, so as to make bail bonds in all criminal cases good until verdict of judgment and until defendant is taken in custody by the sheriff, and declaring an emergency."

Read first time and referred to

Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 131, A bill to be entitled "An Act to amend Articles 3881, 3882 and 3883, of the Revised Civil Statutes of the State of Texas of 1911, as amended by an Act passed at the Regular Session of the Thirty-third Legislature, relating to the maximum amount of fees of all kinds to be retained by certain officers; and to amend Article 1885 of the Revised Civil Statutes of the State of Texas of 1911, relating to the fees of district attorneys in districts composed of one or more counties and the maximum amount of fees such officers may retain; and providing that the compensation to be allowed to be paid district and county attorneys when acting under the direction of the Attorney General and representing the State in actions for the enforcement of anti-trust laws, and when representing the State in felony prosecutions under Chapter 6 of Title 18 of the Penal Code, and when representing the State in the enforcement of the existing Penal Statutes under the direction of the Attorney General, shall not be included in arriving at the maximum amount to be retained by such officers; and by adding to the Revised Civil Statutes of the State of Texas, of 1911, Article 3885, relating to the duties of the county attorney and his duties during the absence of the district attorney and the compensation of the county attorney when acting for and instead of the district attorney in districts composed of one or more counties, and amending Article 3893 of the Revised Civil Statutes of the State of Texas of 1911, as amended by an Act passed at the Regular Session of the Thirty-third Legislature relating to the powers of the commissioners' court to allow compensation for ex officio services to certain county officials in cases where compensation which such officials are allowed to retain under this chapter does not reach the maximum provided for, and adding to the Revised Civil Statutes of the State of Texas of 1911, Article 3893a, providing that all provisions in local or special laws of the State granting ex officio compensation or salaries to certain county officers are repealed; and repealing Article 3897 of the Revised Civil Statutes of the State of

Texas of 1911, as amended by the Acts of the Regular Session of the Thirty-third Legislature; and repealing Article 3898 of the Revised Civil Statutes of the State of Texas of 1911, as said Article was amended by an Act passed at the Regular Session of the Thirty-third Legislature, and amending Article 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended in Chapter 121 and Chapter 143, of the Acts of the Regular Session of the Thirty-third Legislature, relating to the appointment of assistants and deputies for certain county officials, and providing the manner of the appointment of such assistants and deputies, and providing the maximum amount of salary to be paid to such assistants and deputies, and providing for the employment in counties of one hundred thousand inhabitants or more by district or county attorneys in addition to their regular assistants or deputies, special assistants or deputies, special agents, and prescribing the duties of such special agents, and the maximum amount any county is authorized to expend for such purposes; and amending Article 3894 of the Revised Civil Statutes of the State of Texas of 1911, relating to the duties of certain county officers to keep statement of fees accruing to their office and all sums coming into their hands as fees and commissions in a book provided for that purpose, and providing that said book shall at all times be subject to the inspection of the commissioners court and the county auditor; and amending Article 3905 of the Revised Civil Statutes of the State of Texas of 1911, relating to certain supplies to be allowed to certain county officers mentioned in said Article, and providing that the officers mentioned therein shall be furnished suitable offices, and repealing Article 3934 of the Revised Civil Statutes of Texas of 1911, and providing that all laws and parts of laws in conflict with this Act are hereby repealed, and providing that this law shall take effect and be in force from and after December 1, 1917, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Alderdice:

S. B. No. 132, A bill to be entitled "An Act declaring it the duty of the

owner entitled to the beneficial use, rental or control of, or in case of a non-resident, the occupant or lessee of any building three or more stories in height, constructed, used or intended to be used, as a hospital, seminary, college, academy, schoolhouse, dormitory, hotel, lodging house, apartment house, rooming house, boarding house, theatre, or any place of public amusement, lodge, hotel, or any hall used for public gatherings, or any manufacturing establishment, or industrial plant, wholesale or retail store, work shop, warehouse, office building and any building erected by any municipal, county or State authority, wherein public assemblies are permitted, or sleeping apartments are provided on any floor above the second, to erect and fix every such building with one or more adequate fire escapes; defining the number of such fire escapes; providing the number of fire escapes for six or more stories in height; providing the location of fire escapes; providing for the erection of stairways, character, kind and number of stairways which are to be constructed, and the location of the same; defining what shall be considered a story of a building within this act; defining adequate fire escapes; conferring certain duties relative to the administration of this Act upon the fire marshal of the State Fire Insurance Commission; providing that guide signs and exit lights shall be placed in buildings within the terms of the Act and making it unlawful to obstruct in any manner fire escapes or corridors thereto; declaring that the fire marshal of the State Fire Insurance Commission shall have general charge and supervision of the enforcement of the provisions of this Act; making it the duty of the inspectors of the State Fire Insurance Commission or chiefs of the fire departments and fire marshals of the State to assist said fire marshal of the State Fire Insurance Commission; providing for the issuance and service of notices in cases where fire escapes should be erected on buildings; provided that the occupant or lessee of any building who is required to erect fire escapes under this Act shall be entitled to reimburse themselves for the cost and expense of erecting fire escapes, out of the rent or lease money of said premises; conferring certain authority upon the Attorney General of the

State, and county and district attorneys, and making it the duty of the latter upon the direction of the Attorney General, to bring action by injunction for the enforcement of this Act; authorizing the court to take charge of buildings where fire escapes have not been erected by writ of sequestration; creating and defining offenses in violation of this Act; prescribing the punishment therefor; repealing all laws and parts of laws in conflict with this Act and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Caldwell:

S. B. No. 133, A bill to be entitled "An Act making an appropriation to construct and complete necessary buildings for the new Texas School for the Blind, and to build necessary fences, walks and drives, and to beautify the grounds, and to furnish all necessary apparatus, equipment and furniture, and to pay the expenses of moving in order to have the said school ready for occupancy, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Hudspeth and Smith

S. B. No. 134, A bill to be entitled "An Act to define live stock and real estate commission dealers; to provide for licensing and bonding live stock and real estate commission dealers and to provide penalties for failure to obtain license and to give bond."

Read first time and referred to Committee on Criminal Jurisprudence.

Adjournment.

On motion of Senator Clark the Senate, at 3:40 o'clock, adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senator Lattimore offered a petition requesting the Senators to be on the lookout for a bill "To Establish an Industrial Home for the Adult Blind," and to give it their careful consideration and use their utmost influence to further its passage.

Committee Reports.

Committee Room,
Austin, Texas, January 13, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 83, A bill to be entitled "An Act to amend Article 1307, Chapter 24, Title 25, Revised Civil Statutes of 1911, as amended by Chapter 152 of General Laws passed by the Thirty-fourth Legislature, approved April 7, 1915, relating to corporations formed for the purpose of storing, transporting, buying and selling oil and gas and other products, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Committee Room,
Austin, Texas, January 15, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 71, A bill to be entitled "An Act creating and providing for the enforcement of liens for material, machinery or supplies furnished to, or for labor performed for owners of land, mines or quarries, or owners of leaseholds for oil, gas or water wells, for oil or gas pipe lines and rights of way, or mining or quarrying purposes, and for materials, machinery, supplies or labor for the construction, maintenance, operation or repair of oil, gas or water wells, or for oil or gas pipe lines, mines or quarries, and prohibiting the sale or removal of property subject to such liens without the consent of the lien holders, and providing a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Committee Room,
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 12, A bill to be entitled "An Act to amend Article 1905, Chapter 8, Title 37, of the Revised Civil Statutes of the State of Texas of 1911, and to fix the time for filing an answer in all cases where the defendant is cited by publication."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 6, A bill to be entitled "An Act to amend Article 4610, of Chapter 1, Title 68, Revised Civil Statutes of 1911, providing that all persons desirous of marrying in this State shall procure a license authorizing its celebration, and declaring all marriages contracted, entered into or celebrated in any other manner, null and void,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 15, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 107, A bill to be entitled "An Act to restore and confer upon the County Court of Hansford County the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court and to repeal all laws in conflict with this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Bailey, Chairman; Alderdice, Hall, Hopkins, Decherd, Henderson, Dean.

Committee Room,
Austin, Texas, January 12, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 110, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the State Quarantine Station at Brownsville, Texas, and other points within the State, for the remainder of the fiscal year ending August 31, 1917, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CALDWELL, Vice-Chairman.

SIXTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, January 16, 1917.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Present.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Caldwell.	McCollum.
Gibson.	Strickland.